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11 *Attorneys for Defendant*  
12 *COSTCO WHOLESALE CORPORATION*

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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

NANCY DERASMO, an individual,

CASE NO.: 2:22:cv-02043-JAD-DJA

Plaintiffs,

vs.

COSTCO WHOLESALE CORPORATION,  
a Delaware Corporation; DOE INDIVIDUAL  
RETAIL STORE OWNER, I through X,  
inclusive; ROE ENTITY RETAIL STORE  
OWNER, I through X, inclusive; DOE  
INDIVIDUAL MAINTENANCE  
CONTRACTORS, I through X, inclusive;  
DOES INDIVIDUALS I through X,  
inclusive; and ROE CORPORATIONS I  
through X, inclusive.

Defendants.

STIPULATION AND ORDER TO EXTEND DISCOVERY DEADLINES  
(Second Request)

IT IS HEAREBY STIPULATED by and between Plaintiff, NANCY DERASMO (hereinafter referred to as "Ms. Derasmo" or "Plaintiff"), and Defendant, COSTCO WHOLESALE

1 CORPORATION (hereinafter referred to as “Costco” or “Defendant”), by and through their  
2 respective counsel, to extend the current discovery deadlines by sixty (60) days pursuant to LR IA 6-  
3 and LRII 26-3 as follows:

4 **I. DISCOVERY COMPLETED**

- 5 1. Plaintiff served her initial disclosures pursuant to FRCP 26 on December 28, 2022.
- 6 2. Costco served its initial disclosures pursuant to FRCP 26 on January 24, 2023.
- 7 3. Plaintiff served a First Set of Interrogatories to Costco on February 9, 2023.
- 8 4. Plaintiff served a First Set of Requests for Production to Costco on February 9, 2023.
- 9 5. Costco served its First Set of Interrogatories to Plaintiff on March 3, 2023.
- 10 6. Costco served its First Set of Requests for Production to Plaintiff on March 3, 2023.
- 11 7. Costco served its responses to Plaintiff’s First Set of Interrogatories on March 21,  
12 2023.
- 13 8. Costco served its responses to Plaintiff’s Requests for Production on March 21,  
14 2023.
- 15 9. Costco served Subpoenas of records from Plaintiff’s various health care providers on  
16 April 24, 2023.
- 17 10. Plaintiff requested deposition dates for Costco’s Rule 30(b)(6) representative with a  
18 list of topics on May 8, 2023.
- 19 11. Plaintiff served her responses to Costco’s First Set of Requests for Production on  
20 May 12, 2023.
- 21 12. Plaintiff served her responses to Costco’s First Set of Interrogatories on May 15,  
22 2023.

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1           **II. DISCOVERY TO BE COMPLETED**

2           1. Responses to Costco's Subpoena of records from Plaintiff's various health care  
3           providers.

4           2. Deposition of Plaintiff.

5           3. Deposition of Costco personnel.

6           4. Deposition of additional fact witnesses, and/or employees of Defendant.

7           5. Depositions of Plaintiff's health care providers.

8           6. Costco's Expert disclosures.

9           7. Plaintiff's expert disclosures.

10          8. Depositions of Plaintiff's experts.

11          9. Deposition of Costco's experts.

12          10. All other discovery that may become necessary as litigation continues.

13           **III. REASONS THAT DISCOVERY HAS NOT BEEN COMPLETED**

14           Pursuant to LRII 26-3, this Court is permitted to extend discovery deadlines where the parties  
15          have shown good cause for the same and where the parties' request is made at least twenty-one (21)  
16          days before the discovery cut-off date. *See LR IA 6-1.*

17           Initially, the Parties engaged in discussions and reaching an agreement as to the confidentiality  
18          and protective order which was crafted and filed with this Court. The Order provides protection to  
19          the parties with respect to any confidential and/or proprietary documents and information which may  
20          be requested and produced in this case so as to expedite the production of the same. This took some  
21          time to finalize and have submitted to this Court.

22           The parties have acted in good faith in attempting to comply with discovery deadlines. The  
23          parties are attempting to schedule depositions of Plaintiff and Costco's 30(b)(6) representative. The  
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1 parties are in the midst of gathering all relevant information and request additional time to be able to  
2 complete the remaining discovery.

3 Additionally, settlement discussion have begun between the parties. The discussions are  
4 ongoing and, in order to conserve the Court's time and resources, the parties are requesting additional  
5 time to come to an agreement outside of court.  
6

7 Accordingly, the parties respectfully request that the discovery deadlines be extended for a  
8 period of sixty (60) days as noted below. Counsel are in no way attempting to unnecessarily delay  
9 discovery in this matter, further, the parties believe that this extension will not affect the trial date.  
10

**IV. CURRENT SCHEDULE FOR COMPLETING DISCOVERY**

Close of Discovery:	August 11, 2023
Amendment of Pleading and Adding Parties:	Closed
Initial Expert Disclosures:	June 14, 2023
Rebuttal Expert Disclosures:	July 14, 2023
Final Date to File Dispositive Motions:	September 11, 2023

**V. PROPOSED SCHEDULE OF DISCOVERY**

Close of Discovery:	<b>October 10, 2023</b>
Amendment of Pleading and Adding Parties:	<b>Closed</b>
Initial Expert Disclosures:	<b>August 14, 2023</b>
Rebuttal Expert Disclosures:	<b>September 11, 2023</b>
Final Date to File Dispositive Motions:	<b>November 10, 2023</b>

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1           **VI. CURRENT TRIAL DATE**

2           There is not a current trial date scheduled on this matter. The parties will agree to a date  
3           that is convenient for the Court.

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5           DATED this 16<sup>th</sup> day of May 2023.

6           MESSNER REEVES LLP

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9           */s/ Edgar Carranza* \_\_\_\_\_

10          EDGAR CARRANZA, ESQ. (NBN 5902)  
11          ASHLEY WALTERS (NBN 16338)  
12          8945 West Russell Road, Suite 300  
13          Las Vegas, Nevada 89148  
14          *Attorneys for Defendant*  
15          COSTCO WHOLESALE CORPORATION

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17           DATED this 16<sup>th</sup> day of May 2023.

18           **G. DALLAS HORTON & ASSOCIATES**

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21           */s/ David Thomas* \_\_\_\_\_

22          DAVID THOMAS, ESQ. (NBN 3172)  
23          4435 S. Eastern Ave.  
24          Las Vegas, Nevada 89119  
25          *Attorney for Plaintiff*  
26          NANCY DERASMO

MESSNER REEVES LLP

17           **ORDER**

18           IT IS SO ORDERED

19          Dated this 18<sup>th</sup> day of May, 2023.

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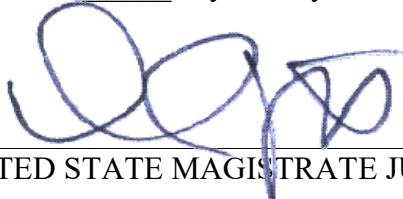
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UNITED STATE MAGISTRATE JUDGE

## Patti Sherretts

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**From:** David Thomas <DThomas@Gdallashorton.com>  
**Sent:** Tuesday, May 16, 2023 11:16 AM  
**To:** Patti Sherretts  
**Cc:** Edgar Carranza; Ashley E. Walters; Vikki Weyandt  
**Subject:** RE: Costco adv. Derasmo

**[EXTERNAL EMAIL]**

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Looks great. You can use my signature. Thanks for drafting it.

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**From:** Patti Sherretts <PSherretts@messner.com>  
**Sent:** Tuesday, May 16, 2023 11:12 AM  
**To:** David Thomas <DThomas@Gdallashorton.com>  
**Cc:** Edgar Carranza <ECarranza@messner.com>; Ashley E. Walters <AWalters@messner.com>; Vikki Weyandt <VWeyandt@Gdallashorton.com>  
**Subject:** Costco adv. Derasmo

Mr. Thomas:

Please find attached the proposed Stipulation and Order to Continue Deadlines (2<sup>nd</sup> Request). Please review and advise if we have your authority to affix your electronic signature.

Thank you.

**PATTI SHERRETTTS**

Legal Assistant  
O: 702.363.5100 E: [psherretts@messner.com](mailto:psherretts@messner.com)  
8945 W. Russell Road, Suite 300, Las Vegas, NV 89148

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